07-30-01

A

Docket No. HCC-011 (306*142)

JC812 U.S. PTO
07/27/01

COMMISSIONER OF PATENTS AND TRADEMARKS
BOX PATENT APPLICATION
WASHINGTON, D.C. 20231

J1000 U.S. PTO
09/916611
07/27/01

"Express Mail" No.: ET481431675US Date: July 27, 2001 I hereby certify that this paper, along with any other paper or fee referred to in this paper as being transmitted herewith, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, postage prepaid, on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Carrie A. McPherson
(Typed or printed name of person mailing paper)

Carrie A. McPherson
Signature of person mailing paper

APPLICATION TRANSMITTAL

Transmitted herewith for filing is the Patent application of inventor(s):

Greg Volgas, Johnnie R. Roberts and Flavious Johnson

For (title): Manufacture and Use of a Herbicide Formulation

1. Type of Application

This new application is for a(n) *(check applicable)*:

☒ Original

☐ Design

☐ Plant

☐ Divisional

☐ Continuation

☐ Continuation-in-part (CIP)

2. Benefit of Prior U.S. Application(s)

☒ The new application being transmitted claims the benefit of prior U.S. provisional application Serial No. 60/250,547 filed December 1, 2000.

3. Papers Enclosed Which are Required for Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

17 Pages of specification

27 Pages of claims

1 Pages of Abstract

0 Sheets of drawing

- ☐ formal
- ☐ informal

4. Additional papers enclosed

- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement (37 CFR 1.98)
- ☒ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other - Associate Power of Attorney

5. Declaration or oath

☒ Enclosed executed by:

- ☒ inventor(s)
- ☐ legal representative of inventor(s). 37 CFR 1.42 or 1.43
 - ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
 - ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached.

☐ Not Enclosed - This application is filed in accordance with 37 CFR 1.41 by ASHLEY I. PEZZNER on behalf of the inventor(s). Ashley I. Pezzner is the attorney of applicant(s) and is authorized to file the application on behalf of applicant(s).

☐ Not Enclosed.

6. Assignment

☒ An assignment of the invention to

- ☒ is attached. A separate "Recordation Form Cover Sheet - PTO Form 1595" is also attached.
- ☐ the original was submitted in the parent application.

7. **Certified Copy**
Certified copy(ies) of application(s)

(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)

from which priority is claimed

☐ SUBMITTED IN PARENT APPLICATION

☐ will follow.

8. **Fee Calculation (37 CFR 1.16)**

A. ☒ **Regular application**

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	90 =	70	X $18.00=	1,260.00
	INDEPENDENT CLAIMS	4 =	1	X $80.00=	80.00
	MULTIPLE DEPENDENT CLAIMS (if applicable)			+ $270.00=	
				BASIC FEE	$ 710.00
			Total of above Calculations =		$2,050.00
	Reduction by 50% for filing by small entity 37 CFR 1.9, 1.27, 1.28. Verified Statement enclosed.				
				TOTAL =	$2,050.00

☐ Amendment canceling extra claims enclosed.

☐ Amendment deleting multiple-dependencies enclosed.

☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation $2,050.00

B. ☐ **Design application**
($155.00 - 37 CFR 1.16(f))

Filing Fee Calculation $_____

C. ☐ **Plant application**
($460.00 - 37 CFR 1.16(g))

Filing Fee Calculation $_____

9. **Small Entity Statement(s)**

☐ Applicant claims small entity (see 37 C.F.R. §1.27).

☐ Filing Fee Calculation (50% of **A, B** or **C** above)

10. **Request for International-Type Search (37 CFR 1.104(d))** *(complete, if applicable)*

☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

11. **Fee Payment Being Made At This Time**

☐ Not Enclosed

☐ No filing fee is to be paid at this time. *(This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)*

☒ Enclosed

☒ basic filing fee $2,050.00

☒ Recording assignment
($40.00; 37 CFR 1.21(h)) $ 40.00

☐ petition fee for filing by other
than all the inventors or person

on behalf of the inventor where inventor refused to sign or cannot be reached. ($130.00; 37 CFR 1.47 and 1.17(h)) $_____

☐ for processing an application with a specification in a non-English language. ($130.00; 37 CFR 1.52(d) and 1.17(k) $_____

☐ processing and retention fee ($130.00; 37 CFR 1.53(d) and 1.21(l))

☐ fee for international-type search report ($35.00; 37 CFR 1.21(e)). $_____

Total fees enclosed $2,050.00

12. Method of Payment of Fees

☒ Check in the amount of $2,050.00 is enclosed.

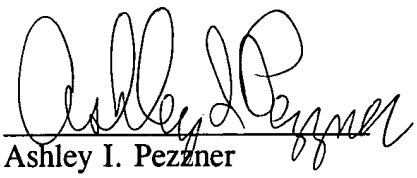
☐ Charge Account No. 03-2775 in the amount of $_____. A duplicate of this transmittal is attached.

13. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 et seq which may be required (including the full fee if no check is attached), or credit any overpayment to, Deposit Account No. 03-2775. This is a "general authorization" under 37 CFR 1.25(b), except that no automatic debit of the issue fee upon allowance is authorized, except the Commissioner may debit the Deposit Account for any deficiency in or inadvertent omission of an issue fee which is submitted or attempted to be submitted after issuance of a Notice of Allowance.

This letter is being submitted in duplicate.

Respectfully submitted,



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Enclosure
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